

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

STEVEN ADRIAN KIVETT,)	
)	
Petitioner,)	
)	
v.)	1:19-cr-318-1
)	1:24-cv-265
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

This matter is before the court for review of the Order and Recommendation ("Recommendation") filed on March 28, 2024, by the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b), (Doc. 34). The Recommendation was served on the parties in this action on March 28, 2024. (Doc. 35.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.¹

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 34), is **ADOPTED. IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** to Petitioner


¹ Petitioner has filed a new 2255 action that is proceeding on the docket. (See Doc. 36.)

promptly filing a corrected motion which is signed and on the proper § 2255 forms.

The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of appealability is not issued.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 3rd day of July, 2024.


United States District Judge